

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

JOHN J. VAUGHN, GERALD A.
KALBFLEISCH, MICHAEL HATHAWAY, and
MYRTLE HATHAWAY,

Plaintiffs,

v.

PUTNAM INVESTMENT MANAGEMENT, LLC
and PUTNAM RETAIL MANAGEMENT
LIMITED PARTNERSHIP,

Defendants.

Civil Action No. 04-10988 (GAO)

**PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS
CONCERNING PUTNAM'S NON-MUTUAL FUND INSTITUTIONAL CLIENTS**

Plaintiffs respectfully move the Court for an order compelling Putnam Advisory Company, LLC ("PAC") and Defendants Putnam Investment Management ("PIM") and Putnam Retail Management Limited Partnership ("PRM") (collectively, "Putnam") to produce the documents concerning Putnam's institutional clients requested in Plaintiffs' First Set of Requests for the Production of Documents served on Defendants PIM and PRM on May 26, 2005 and in the Subpoena *Duces Tecum* served on PAC on December 5, 2005.

The grounds for this Motion are set forth in the accompanying Memorandum of Law.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), Plaintiffs respectfully request a hearing on the within motion.

Respectfully submitted,

Dated: December 8, 2006

/s/ Lisa A. Furnald

David E. Marder (BBO #552485)

Marc N. Henschke (BBO #636146)

Lisa A. Furnald (BBO #631059)

Jonathan D. Mutch (BBO #634543)

Robins, Kaplan, Miller & Ciresi LLP

800 Boylston Street, 25th Floor

Boston, MA 02199

E-mail: LAFurnald@rkmc.com

(617) 267-2300

Thomas R. Grady (admitted *pro hac vice*)

Ackerman, Link, & Sartory, P.A.

222 Lakeview Avenue, Suite 1250, Esperante

West Palm Beach, FL 33401

CERTIFICATION UNDER LOCAL RULES 7.1(a)(2) and 37.1

I hereby certify that I have conferred with counsel for Defendants and have attempted in good faith to resolve or narrow the issues raised by the within motion.

Dated: December 8, 2006

/s/ Lisa A. Furnald

Lisa A. Furnald

Robins, Kaplan, Miller & Ciresi LLP

800 Boylston Street, 25th Floor

Boston, MA 02199

E-mail: LAFurnaldr@rkmc.com

(617) 267-2300

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December, 2006, a true copy of this document was served electronically through the ECF System and by first class mail, postage prepaid, to those counsel of record indicated as non-registered ECF participants.

/s/ Lisa A. Furnald

Lisa A. Furnald

Robins, Kaplan, Miller & Ciresi LLP

800 Boylston Street, 25th Floor

Boston, MA 02199

E-mail: LAFurnaldr@rkmc.com

(617) 267-2300